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REMARKS/ARGUMENTS

The amendments and remarks presented herein are believed to be fully responsive to the Office Action. Reconsideration is requested.

Disposition of Claims.

Claims 1-44 were pending in the application. By this amendment, claims 11-18, 20, 21, 31 and 32 are cancelled. Accordingly, claims 1-10, 19, 22-30 and 33-44 remain pending in the application.

Amendment to the Specification.

The specification is amended in order to update the information pertaining to pending patent applications to substitute a published application where available and to correct certain typographical errors in the application. No new matter is added.

Claim Rejection – 35 U.S.C. § 102.

Claims 1, 7-14, 16-22, 29-33, 43 and 44 were rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent 6,654,588 issued to Moskowitz et al. (“Moskowitz”). Because Moskowitz fails to disclose every element in each of the rejected claims arranged in the same manner as set forth in the claims, the rejection is hereby traversed. However, in order to expedite prosecution, claim 1 is amended as follows:

1. A wireless communication system, comprising:
at least one base unit and a plurality of handheld
response units communicating with said at least one base unit
over at least one wireless communication link;
said at least one base unit sending polling signals to said
response units over said at least one wireless communication
link;

said response units sending response data to said at least one base unit over said at least one wireless communication link in response to one of the polling signals, the response data being entered in the respective response unit by a user; and

said at least one communication link comprising at least one base transceiver at said at least one base unit and a plurality of response transceivers, each at one of said response units, ~~said at least one base transceiver and said response transceivers communicating with said polling signals and said slave unit responses being according to a spread-spectrum frequency hopping protocol, wherein said at least one base unit adapted to synchronize said response units to respond to the polling signals, wherein said polling signals include at least one initial transmission and a master transmission, wherein said polling signals being on multiple different hop frequencies, wherein said at least one initial transmission containing information regarding the hop frequency of the master transmission and wherein said response units are adapted to receive the at least one initial transmission and to use the information contained in the received initial transmission in order to respond to the polling signal.~~

In applying Moskowitz to claim 1, the Office Action makes reference to the disclosure at column 7, lines 44-52, and column 9, lines 24-28 and 33-44, to meet the requirement of the at least one base unit sending polling signals to the response units over at least one wireless communication. However, Moskowitz, including the cited passages, fails to disclose this claim element. The cited passage in column 7 merely states that communication between the audience devices and the presenter device may be provided by any type of direct or network connection. The passages in column 9 merely refer to the logic behind whether or not an

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evaluation should be transmitted. The cited disclosures are mere generalizations that do not disclose the cited portion of the claims. For this reason alone, anticipation is avoided.

Nor does Moskowitz disclose or suggest that the response units send response data to the at least one base unit over the at least one wireless communication link in response to one of the polling signals. The passage cited in the Office Action in column 6 merely states that an audience member may operate an input device to create an evaluation and input a command to transmit the evaluation. It is submitted that this operation of an input device does not meet the cited claim limitation. The passages cited from column 9 are the same ones cited above with respect to the "polling signals" claim limitation. For this additional reason, anticipation is avoided.

Amended claim 1 specifies that the polling signals and the slave unit responses being according to a spread-spectrum frequency hopping protocol wherein the at least one base unit is adapted to synchronize the response units to respond to the polling signals. As set forth above, Moskowitz fails to make reference to polling signals. Moreover, there is only one reference to "frequency hopping sequence" that appears in column 4, line 24. There is no disclosure in Moskowitz as to how the devices are synchronized (only that the connections are synchronized) and certainly no disclosure of a base unit that synchronizes the response units to respond to polling signals.

For at least these reasons, it is submitted that the Examiner has failed to establish anticipation of claim 1 by Moskowitz.

Claim 22 is directed to a wireless communication system, including at least one master unit sending polling signals to the slave units over the at least one wireless communication link, and the slave units sending data to the at least one master unit over the at least one wireless communication link in response to one of the polling signals. For the reasons discussed with respect to claim 1, it is submitted that Moskowitz fails to meet these requirements. Amended claim 22 specifies that the at least one master unit is adapted to synchronize the slave units to respond to the polling signals. It is submitted for reasons discussed with respect to claim 1, that this claim element is not disclosed or suggested in Moskowitz. Accordingly, it is submitted that Moskowitz does not anticipate claim 22.

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Claim 33 is directed to a wireless communication system including at least one master unit sending polling signals to the slave units over at least one wireless communication link and slave units sending data to the at least one master unit over the at least one wireless communication link in response to one of the polling signals. As previously discussed with respect to claims 1 and 22, Moskowitz fails to disclose or suggest these requirements. Claim 33 also specifies that the at least one master unit and the slave unit communicate with a spread-spectrum frequency hopping protocol, the protocol comprising a home frequency, wherein the at least one master transceiver transmits an initial transmission at the home frequency and a master transmission at the hop frequency. Claim 33 further specifies that the initial transmission at the home frequency transmits a designation of the hop frequency to the slave units and that the master transmission transmits data to the slave units.

In applying Moskowitz to claim 33, the Office Action takes the position that “in Bluetooth the masters will transmit an inquiry at a particular frequency and a slave will receive that inquiry at said frequency which is the home frequency”. Reference is made to column 3, lines 7-13, and column 4, lines 22-24. All that column 3 states is that the presenter device 100 and audience devices 200 may communicate “using any number of systems for transferring data” and “data may be transmitted using any known transmission protocol”. While several examples are given, none of them are described with any specificity. It is submitted that such general statements do not arise to the level of anticipation. Moreover, the references to Bluetooth are not supported by any disclosure in the prior art. The undersigned traverses the characteristics that the Examiner attributes to Bluetooth. The attributes are recited *verbatim* from the rejected claims and the Examiner did not provide any citation in the art to support the characterizations of Bluetooth. Indeed, it is submitted that the Bluetooth protocol is not of any particular relevancy to the rejected claims. Indeed, the purpose of the Bluetooth protocol is to establish a *connection* between two or more units, not the sending of response data in response to a polling signal. As it relates to the rejected claims, Bluetooth is analogous to the use of spread-spectrum frequency hopping protocol with cordless telephones, which technology is discussed in the BACKGROUND OF THE INVENTION of the present application.

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Nor does Rune make up for the deficiencies of Moskowitz. Rune is directed to a network access point (NAP) for use with Bluetooth technology. However, as previously set forth, the existence of Bluetooth technology is submitted to not render any of the rejected claims unpatentable. The Examiner's attention is directed to paragraph 0010 of Rune, wherein it is stated that:

In order to make itself known to various roaming devices etc., the NAP must regularly spend time in an inquiry scan state, scanning the area for communications from possible devices requesting responses from the NAP. *Discovering a scanning device can take up to 10 seconds, according to present specifications* [emphasis supplied].

Rune also discloses that "a piconet can include up to eight Bluetooth devices" (paragraph 0004). Although Rune claims to improve over the performance of the prior art, it is clear that it is incapable of providing sufficient improvement over known Bluetooth systems to be relevant to a wireless communication system of the type set forth in the rejected claims. A communication system of the type claimed in the rejected claims may use many more devices than a Bluetooth piconet and retrieves data at speeds that are much faster than Bluetooth devices can be connected.

It is submitted that the rejection under 35 U.S.C. § 102(b) has been overcome. Withdrawal is requested.

Claim Rejection – 35 U.S.C. § 103.

Claims 2-6, 15, 23-28 and 34-42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Moskowitz in view of patent application Publication No. US 2003/0060222 A1 by Rune ("Rune"). The rejected claims are dependent claims and are submitted to be patentable for the reasons set forth with respect to their respective independent claims. Accordingly, withdrawal of the rejection is requested.

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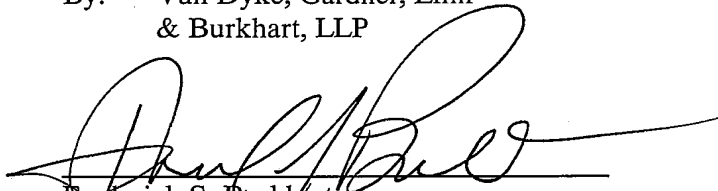
The amendments to the claims are fully supported by the application as originally filed. Accordingly, no new matter is added. Withdrawal of the rejections and issuance of a Notice of Allowance are earnestly solicited. If Examiner Dean has any questions or reservations, it is requested that Examiner Dean call the undersigned attorney.

Respectfully submitted,

HARRY G. DERKS ET AL.

By: Van Dyke, Gardner, Linn
& Burkhardt, LLP

Dated: August 20, 2007.

A handwritten signature in black ink, appearing to read 'Frederick S. Burkhardt', is written over a horizontal line.

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